

# CIVIL PROTECTION ORDERS<sup>1</sup>

*Legislative Intent:<sup>2</sup> To provide “a fast, efficient means to obtain protection against perpetrators of these harms” and to “clarify and simplify” these statutes “to make them more understandable and accessible” to litigants.*

Order Type	Sexual Assault Protection Order	Domestic Violence Protection Order	Antiharassment Protection Order	Stalking Protection Order	Vulnerable Adult Protection Order	Extreme Risk Protection Order
<p><b>Petition Requirements / Definitions</b></p> <p>RCW  <a href="#">7.105.010</a>  <a href="#">7.105.100</a></p>	<p>Nonconsensual sexual conduct and/or penetration committed against petitioner by respondent.</p> <p>A single incident is sufficient.</p> <p>Petitioner should, but is not required to seek a Domestic Violence Protection Order where alleged nonconsensual sexual conduct or penetration committed by intimate partner or family or household member.</p>	<p>Domestic violence committed by an intimate partner or family or household member.</p> <p>“Domestic Violence” includes “unlawful harassment” and “coercive control.”</p> <p>Family/household member definition expanded to apply to all persons who currently or formerly resided together.</p> <p>Intimate partner definition includes persons who have or have had a dating relationship where both persons are at least 13 years of age.</p>	<p>Unlawful harassment committed against the petitioner(s) by the respondent.</p> <p>“Unlawful harassment” includes “a single act of violence or threat of violence.” A single threat of violence must include either a malicious and intentional threat as described in the hate crime statute (RCW 9A.36.080) or the presence of a firearm or other weapon. Petitioner should, but is not required to seek a Domestic Violence Protection Order where alleged harassment committed by intimate</p>	<p>Stalking committed against petitioner(s) by the respondent.</p> <p>Petitioner should, but is not required to seek a Domestic Violence Protection Order where alleged stalking committed by intimate partner or family or household member.</p>	<p>Petitioner or person on whose behalf order sought is a vulnerable adult and has been abandoned, abused, financially exploited, or neglected, or is threatened with abandonment, abuse, financial exploitation, or neglect.</p> <p>Abuse, mental abuse, physical abuse, and sexual abuse include intentional and reckless acts, in addition to willful acts.</p>	<p>Respondent poses a significant danger of causing personal injury to self or others by having in their custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm.</p> <p>Must identify the number types, and locations of any firearms that petitioner believes to be in the respondent’s current ownership, possession, custody, access, or control.</p>

<sup>1</sup> This resource incorporates changes made by E2SHB 1320 (2021) and SHB 1901 (2022).

<sup>2</sup> Chapter 215, Laws of 2021 at pp. 6-7, available at <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1320-S2.SL.pdf?q=20211119125112>. Codified as Chapter 7.105 RCW, available at <https://app.leg.wa.gov/RCW/default.aspx?cite=7.105>. See also SHB 1901, available at <https://app.leg.wa.gov/billsummary?BillNumber=1901&Year=2021&Initiative=false>.

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		<p>Intimate partner definition does not include people with child in common where child conceived through sexual assault.</p> <p>Infliction of fear of harm need not be “imminent.”</p> <p>Petition must specify whether the petitioner and respondent are intimate partners vs. family or household members.</p>	partner or family or household member.			
<p><b>Petitioner</b></p> <p>RCW  <a href="#">7.105.100</a>  <a href="#">7.105.105</a>  <a href="#">7.105.110</a></p>	<p>At least 15 years of age on own behalf or on behalf of other family or household member who is a minor if chosen by minor and capable of pursuing minor’s stated interests.</p> <p>On behalf of minor under 15 years of age, where the petitioner is the parent, legal guardian, or custodian.</p>	<p>At least 15 years of age on own behalf or on behalf of other family or household member who is a minor if chosen by minor and capable of pursuing minor’s stated interests.</p> <p>On behalf of minor under 15 years of age.</p> <p>Indian Child Welfare Act applies.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>	<p>At least 15 years of age on own behalf or on behalf of other family or household member who is a minor if chosen by minor and capable of pursuing minor’s stated interests.</p> <p>On behalf of minor under 15 years of age, where petitioner is the parent, legal guardian, or custodian.</p> <p>Indian Child Welfare Act applies.</p>	<p>At least 15 years of age on own behalf or on behalf of other family or household member who is a minor if chosen by minor and capable of pursuing minor’s stated interests.</p> <p>On behalf of minor under 15 years of age, where petitioner is the parent, legal guardian, or custodian.</p> <p>“Interested person” on behalf of vulnerable adult.</p>	<p>At least 18 years of age on own behalf.</p> <p>“Interested person” on behalf of vulnerable adult.</p> <p>DSHS on behalf of vulnerable adult.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>	<p>An intimate partner of the respondent, family or household member of the respondent, or a law enforcement officer or agency.</p> <p>At least 15 years of age.</p> <p>Indian Child Welfare Act applies.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>

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	<p>“Interested person” on behalf of vulnerable adult.</p> <p>On behalf of another adult where petitioner demonstrates that petitioner is interested in adult’s well-being, court’s intervention is necessary, and adult cannot file on own behalf due to age, disability, health, or inaccessibility.</p> <p>Indian Child Welfare Act applies.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>	<p>DSHS on behalf of a vulnerable adult.</p>	<p>“Interested person” on behalf of vulnerable adult.</p> <p>On behalf of another adult where petitioner demonstrates that petitioner is interested in adult’s well-being, court’s intervention is necessary, and adult cannot file on own behalf due to age, disability, health, or inaccessibility.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>	<p>On behalf of another adult where petitioner demonstrates that interested in adult’s well-being, court’s intervention is necessary, and adult cannot file on own behalf due to age, disability, health, or inaccessibility.</p> <p>Indian Child Welfare Act applies.</p> <p>The court may appoint a guardian ad litem for a petitioner or respondent who is under 18 years of age and not represented by counsel.</p>		
<p><b>Jurisdiction</b></p> <p>RCW  <a href="#">7.105.050</a>  <a href="#">7.105.065</a>  <a href="#">7.105.070</a></p>	<p>Filed in District or Superior Court.</p> <p>Must be transferred to Superior Court when a) a superior court has exercised or is exercising jurisdiction over a proceeding involving the parties; b) the action would have the effect of interfering with a respondent’s care, control or custody of the respondent’s minor child; c) the action would affect the use and enjoyment of real property for which the respondent has a cognizable claim or would</p>				<p>Superior Court only.</p>	<p>Filed in District or Superior Court.</p> <p>Must be transferred to Superior Court for the full hearing.</p>

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	<p>exclude a party from a shared dwelling; d) the petitioner, victim, or respondent is under 18 years of age; or e) the district court is unable to verify whether there are potentially conflicting or related orders involving the parties as required by RCW 7.105.105 or 7.105.555.</p> <p>The superior court to which the case is being transferred shall determine whether to grant any request for continuance.</p>					<p>Juvenile courts—a division of superior courts—may hear the proceedings if the respondent is under 18 years of age.</p>
<p><b>Venue</b></p> <p>RCW <a href="#">7.105.075</a></p>	<p>County where petitioner resides.</p> <p>OR</p> <p>County where an act giving rise to the petition occurred, a child to be protected by the order primarily resides, where the petitioner formerly resided but relocated due to the respondent’s conduct, or the court nearest to the petitioner’s residence or former residence if relocation due to the respondent’s conduct.</p>					
<p><b>Personal Jurisdiction Over Nonresident Individual</b></p> <p>RCW <a href="#">7.105.080</a></p>	<p>Individual is personally served in Washington.</p> <p>OR</p> <p>Individual submits to jurisdiction by consent, entering a general appearance, or filing a responsive document having the effect of waiving any objection to consent to personal jurisdiction.</p> <p>OR</p> <p>The act(s) of the individual or their agent giving rise to the case occurred in Washington.</p> <p>OR</p> <p>The act(s) of the individual or their agent giving rise to the case occurred outside of Washington and are part of an ongoing pattern having an adverse effect on the petitioner or member of their family/household, the petitioner resides in Washington, and the individual communicated with the petitioner or member of their family, or made known a threat to the safety of the petitioner or member of the petitioner’s family.</p> <p>OR</p> <p>As a result of the acts giving rise to the case, the petitioner or member of their family/household sought safety or protection in Washington, they currently reside in this state, and the individual communicated with the petitioner or member of their family, or made known a threat to the safety of the petitioner or member of the petitioner’s family.</p> <p>OR</p> <p>There is any other basis consistent with RCW 4.28.185 or with the Washington or United States Constitution.</p>					

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<p><b>Fees</b></p> <p>RCW <a href="#">7.105.105(9)</a></p>	<p>No filing or service fees.</p>	<p>No filing or service fees.</p>	<p>No service fees.</p> <p>Filing fees charged unless petitioner seeking protection order against a person who has engaged in stalking, a hate crime, a single act of violence or threat of violence under RCW 7.105.010(35)(b), sexual assault, or domestic violence.</p> <p>OR</p> <p>The court waives filing fee if determines petitioner unable to pay.</p>	<p>No filing or service fees.</p>	<p>No filing or service fees.</p>	<p>No filing or service fees.</p>
<p><b>Filing Methods</b></p> <p>RCW <a href="#">7.105.105(1)</a></p>	<p>In person. OR Remotely through electronic submission process. OR By mail for persons who are incarcerated or who are otherwise unable to file in person or remotely through electronic system.</p> <p>Electronic tracking of petition status mandated.</p> <p><i>By 1/1/2023 for Superior Courts and 1/1/2026 for courts of limited jurisdiction.</i></p>					
<p><b>Service Methods</b></p>	<p>Personal service by law enforcement in cases requiring surrender of firearms; transferring custody of minor(s) from respondent to petitioner; vacating the respondent from parties' shared residence; and when respondent is incarcerated. Minimum of two timely attempts.</p> <p>Personal service by law enforcement or a third party who is 18 years or older and not a party to the case required in cases where a petition for a vulnerable adult protection order filed by someone other than the vulnerable adult.</p> <p>After two unsuccessful attempts at personal service, service by electronic means shall be permitted.</p>					

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<p>RCW <a href="#">7.105.150</a> <a href="#">7.105.155</a></p>	<p>Personal service may otherwise be made by law enforcement or a third party if petitioner so elects.</p> <p>Service by electronic means—e-mail, text message, social media applications—must be made by law enforcement, unless petitioner elects to have respondent served by a third party.</p> <p>Court authorization of electronic service not required except in cases where personal service required.</p> <p>Service by mail is permitted when i) personal service required, there have been two unsuccessful attempts, and electronic service is not possible; or ii) personal service not required and there were two unsuccessful attempts at personal or electronic service. RCW 7.105.150(c).</p> <p>Service by publication only permitted in cases where all other means of service have been unsuccessful or are not possible.</p>					
<p><b>Service Timing</b></p> <p>RCW <a href="#">7.105.165</a> <a href="#">7.105.170</a> <a href="#">7.105.200</a></p>	<p>Service must be completed on the nonmoving party no less than five days before the hearing date unless waived by the nonmoving party. The court shall not require more than two attempts at obtaining service before permitting service by other means authorized in this chapter unless the moving party requests additional time to attempt service.</p> <p>If the court permits service by mail or by publication, the court shall set the hearing date not later than 30 days from the date of the order authorizing such service. This timeframe can be extended for good cause</p> <p>Service completed on the day respondent is served personally, on date of transmission of electronic service, on 10<sup>th</sup> calendar day after mailing for service by mail, or on the date of the third publication when made for three consecutive weeks for service by publication.</p>					
<p><b>Ex parte hearing</b></p> <p>RCW <a href="#">7.105.305</a> <a href="#">7.105.330</a></p>	<p>The court may grant an ex parte protection order, pending a full hearing, if it appears from petition and any additional evidence that respondent has engaged in conduct against the petitioner that serves as a basis for a protection order, and that serious immediate harm or irreparable injury could result if an order is not issued immediately without prior notice to respondent.</p> <p>If the court declines to issue an ex parte order, the court must still set a full hearing on the petition unless it determines that the petition does not contain prima facie allegations to support the issuance of any type of protection order. If the court declines to issue an ex parte temporary protection order or declines to set a hearing, the court must state the reasons in writing.</p> <p>If the court does not set a full hearing, the petitioner may file an amended petition within 14 days of the court’s denial. If the court determines the amended petition does not contain prima facie allegations to support the issuance of any type of protection order, or if amended petition not filed within required time, the court may enter an order dismissing the petition.</p>					<p>If reasonable cause to believe that respondent poses a significant danger of causing personal injury to self or others in the near future by having in respondent’s custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm, the court shall issue a temporary ERPO.</p>

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<b>Duration of Ex Parte Order</b>  RCW <a href="#">7.105.100(8)</a>	For a fixed period of time, initially not to exceed 14 days, which may be extended for good cause.					
<b>Reissuance and Renewal of Temporary Orders</b>  RCW <a href="#">7.105.400</a>	<p>A temporary order may be reissued based on agreement of the parties; additional time needed to effect service on respondent; or if the court finds, in writing, good cause to reissue the order.</p> <p>Temporary orders to surrender and prohibit weapons must also be reissued with the temporary protection order.</p> <p>Rebuttable presumption that a temporary protection order should not be reissued more than once or for more than 30 days at the request of the respondent, absent agreement of the parties, good cause, or the need to provide additional time to effect service.</p> <p>Rebuttable presumption against staying, continuing, or delaying protection order proceedings due to pending parallel criminal investigation or prosecution of the respondent. Courts must consider the following factors: implication of the Fifth Amendment privilege; similarities between civil and criminal cases; status of the criminal case; petitioners’ interests and potential prejudice; burdens on respondent; convenience and efficiency of the court; interests of non-parties to the case; and the public interest.</p> <p>Courts shall not require a petitioner to complete a new confidential information form when a temporary protection order is reissued or when a full order is entered, unless petitioner indicates that the information needs to be updated or amended.</p>					
<b>Hearing Procedures</b>  RCW <a href="#">7.105.200</a>	<p>Protection order hearings are special proceedings, and the proceedings established in this chapter supersede inconsistent civil court rules.</p> <p>Courts shall prioritize hearings on petitions for ex parte temporary orders over less emergent proceedings.</p> <p>When considering requests to stay, continue, or delay a hearing due to a pending criminal investigation or prosecution stemming from the same alleged conduct, the courts shall apply a rebuttable presumption against such delay. Courts must consider the following on the record: implication of the Fifth Amendment privilege; similarities between civil and criminal cases; status of the criminal case; petitioners’ interests and potential prejudice; burdens on respondent; convenience and efficiency of the court; interests of non-parties to the case; and the public interest.</p> <p>Hearings may be conducted upon the information provided in the sworn petition, live testimony of parties that choose to testify, and any additional sworn declarations. Live testimony of other witnesses may be requested by a party, but shall not be permitted unless the court finds that live testimony of witnesses other than the parties is necessary and material. Court should consider the rebuttable presumption against delay and purpose of legislation to provide quick, effective relief.</p>					

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	<p>If either party requests a continuance to allow for proper notice of witnesses or to seek counsel, the court may continue the hearing and reissue any temporary orders. In considering the request, the court should consider the rebuttable presumption against delay and legislative intent for quick effective relief.</p> <p>The rules of evidence need not be applied, other than with respect to privileges, requirements of the rape shield statute, and ER 412 and 413.</p> <p>The prior sexual activity or reputation of the petitioner is inadmissible except as evidence concerning the past sexual conduct of the petitioner with the respondent when this evidence is offered by the respondent on the issue of consent or when constitutionally required.</p> <p>When petitioner has alleged incapacity to consent to sexual conduct or sexual penetration, the court must determine on the record whether the petitioner had the capacity to consent.</p> <p>Courts shall not require the parties to submit duplicate or working copies of pleadings or other materials filed with the court, unless the document or documents cannot be scanned or are illegible.</p> <p>Courts shall, if possible, have petitioners and respondents in protection order proceedings gather in separate locations and enter/depart the court room at staggered times. Where available, for safety purposes, the court should arrange for petitioners to leave the court premises first and to have court security escort petitioners to their vehicles or transportation.</p>					
<p><b>Remote Hearings</b></p> <p>RCW <a href="#">7.105.205</a></p>	<p>Parties, witnesses, and others authorized to participate in protection order proceedings may attend a protection-order related hearing in person or remotely, including by telephone, video, or other electronic means, the court’s discretion. No later than three judicial days before the hearing, parties may make request for remote attendance, which shall be granted unless there is good cause to require in-person attendance or attendance through a specific means.</p> <p>Assurances of identity required.</p> <p>Court may not charge fees for remote appearances.</p> <p>Courts shall not post or stream proceedings or recordings of protection order hearings online unless a waiver has been received from all parties OR the hearing is being conducted online and members of the public do not have in-person access to observe or listen to the hearing.</p> <p>Courts should include instructions for remote access, how to request an interpreter, and accommodations for disabilities in the order setting the hearing and in any order granting a party’s request for a remote appearance. Courts shall use technology that accommodates American sign language and other languages.</p>					



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	<p>Courts should try to give a party or witnesses appearing remotely no more than a one-hour waiting time for the hearing to begin, and if the anticipated waiting time is longer, courts should inform them of estimated hearing start time.</p> <p>Courts should inform the parties that the hearing is being recorded by the court, how the public is able to view the hearing, how a party may obtain a copy, and that recording or broadcasting any portion of the hearing by other means is prohibited without prior court approval.</p> <p>Courts should take appropriate measures to prevent members of the public or the parties from harassing or intimidating other parties and witnesses, including disallowing members of the public to communicate with the parties or the court during the hearing; ensuring court controls over microphone and viewing settings; announcing limitations on recording the hearing.</p> <p>To ensure safety and privacy of the litigants, courts should protect the privacy of phone numbers, emails, and other contact information for the parties, witnesses, and others authorized to participate, and inform them of these safety considerations.</p> <p>Materials available to parties and witnesses appearing remotely should include warnings not to state their addresses or telephone numbers at the hearing, and that they may use virtual backgrounds to help ensure that their backgrounds do not reveal their locations.</p> <p>Courts should provide parties in the order setting a remote hearing with a telephone number and email address for the court to use to inform the court if they are unable to appear remotely. Before dismissing or granting a petition due to the other party's lack of appearance, the court shall check for any notifications by the party. If such notification is provided, the court shall not dismiss or grant the petition, but shall reset the hearing by continuing it and reusing any temporary order in place. If a party was unable to provide the notification about issues with remote access or technology, the party may seek relief via a motion for reconsideration.</p> <p>A party who is attending remotely and unable to participate outside the presence of others who reside with them but who are not a part of the hearing, and whose presence may hinder the party's testimony or ability to fully participate may request and shall be granted on continuance on that basis. Subsequent requests are subject to court discretion. In considering the request, consider rebuttable presumption against delay and legislative intent to provide quick and effective relief.</p>					
<b>Other Hearing Procedures</b>		The court may realign designation of parties as petitioner or respondent where court finds that the original petitioner is the abuser or harasser. <a href="#">RCW 7.105.210.</a>	The court may realign designation of parties as petitioner or respondent where court finds that the original petitioner is the abuser or harasser <a href="#">RCW 7.105.210.</a>		<a href="#">RCW 7.105.220.</a>	<a href="#">RCW 7.105.215.</a>

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<b>Appointment of Counsel</b>  RCW <a href="#">7.105.240</a>	Subject to the availability of funding, the court may appoint counsel to represent the petitioner if the respondent is represented by counsel.					
<b>Protection Order Advocate and Support Person</b>  RCW <a href="#">7.105.250</a>	<p>Sexual assault, domestic violence, or protection order advocates shall be allowed to accompany the petitioner to proceedings or appear remotely with petitioner, and confer with petitioner during proceedings, whether or not the petitioner has retained an attorney.</p> <p>If a petitioner does not have an advocate, they shall be allowed a support person to accompany them to proceedings or appear remotely with them, including sitting/standing next to petitioner and conferring with petitioner during proceedings, whether or not the petitioner has retained an attorney.</p>					
<b>Interpreters</b>  RCW <a href="#">7.105.245</a>	<p>An interpreter shall be appointed for any party who is deaf, heard of hearing, deaf-blind, has a speech impairment and cannot readily understand or communicate in spoken language, or who cannot readily speak or understand the English language. Once an interpreter has been appointed for a party, the party shall no longer be required to make further requests for an interpreter at subsequent proceedings.</p> <p>The court shall not appoint an interpreter who is not credentialed or duly qualified by the court or appoint a person to provide interpretation services if that person is serving as an advocate for the party.</p> <p>The same interpreter shall not serve parties on both sides of the proceeding when not on the record, nor shall the interpreter appointed by the court for the proceeding be the same interpreter appointed for any court-ordered assessments, unless the court finds good cause to do so on the record.</p>					
<b>Evidentiary standard- full hearing</b>  RCW <a href="#">7.105.225</a>	<p>The court shall issue a protection order if it finds by a preponderance of the evidence that petitioner has proved criteria (subsection a –f) for obtaining protection order.</p> <p>If the court declines to issue a protection order, it must state in writing the particular reasons for the court’s denial. The reasons for exclusion of one or more of the petitioner’s minor family or household members must also be stated in writing.</p> <p>The court may not deny or dismiss a petition for a protection order on the grounds that the petitioner or the respondent is a minor, unless provisions in this chapter specifically limit relief or remedies based upon a party's age; the petitioner did not report the conduct giving rise to the petition to law enforcement; a no-contact order or a restraining order that restrains the respondent's contact with the petitioner has been issued in a criminal proceeding or in a domestic relations proceeding; the relief sought by the petitioner may be available in a different action or proceeding, or criminal charges are pending against the respondent; the conduct at issue did not occur recently or because of the passage of time since the last incident of conduct giving rise to the petition; or the respondent no longer lives near the petitioner.</p>					

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<p><b>Consultation of Judicial Information System (JIS)</b></p> <p>RCW <a href="#">7.105.230</a></p>	<p>Before ruling on an order under this chapter, the court shall consult JIS to determine the criminal history, history of criminal victimization, protection order history, or pending proceedings involving the parties.</p> <p>Before granting an order directing residential placement or limiting a party’s contact with their child, the court shall consult JIS to determine the pendency of other proceedings involving residential placement of any child.</p> <p>When the court proposes to consider information from JIS or another criminal or civil database, the court shall disclose the information to each party present at the hearing and on timely request, provide each party with an opportunity to be heard, and take appropriate measures to alleviate safety concerns of the parties. The court has discretion not to disclose information that the court does not propose to consider.</p>					
<p><b>Remedies Available for Temporary or Full Orders</b></p> <p>RCW <a href="#">7.105.310</a> <a href="#">7.105.340</a></p>	<p>In issuing any protection order, court has broad discretion to grant relief as court deems proper, other than for ex parte temporary anti-harassment orders where the court may only grant relief that excludes respondent from shared residence, modifies residential provisions with regard to minor children, or grants financial relief or restraint on jointly owned assets, as part of a full anti-harassment protection order.</p> <p>Restrain respondent from committing the following acts against petitioner and other protected person: domestic violence; nonconsensual sexual assault or penetration; sexual abuse; stalking; acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult; and unlawful harassment.</p> <p>Restrain respondent from making attempts at physical or nonphysical contact.</p> <p>Exclude respondent from dwelling that the parties share.</p> <p>Exclude respondent from the petitioner’s residence, workplace, or school; or from the day care or school of a minor child.</p> <p>Prohibit respondent from knowingly coming within, or knowingly remaining within, a specified distance of the protected party’s person or vehicle. Distance presumptively 1,000 feet unless good cause for shorter distance.</p> <p>If the parties have children in common, make residential provisions with regard to their minor children; however, parenting plans must not be required under this chapter, and a protection order must not be denied on the grounds that the parties have an existing parenting plan in effect. A protection order may suspend the respondent’s contact with the parties’ children under an existing parenting plan, subject to further orders in family law proceeding.</p> <p>Order the respondent to participate in a state-certified domestic violence perpetrator treatment program or a state-certified sex offender treatment program.</p>					<p>Require respondent to surrender all firearms in their custody, control, or possession, as well as any concealed pistol license.</p>

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	<p>Order the respondent to obtain a mental health or chemical dependency evaluation. The court shall consider the ability of the respondent to pay for an evaluation.</p> <p>In cases where both parties are students in public or private K-12 school, the court may order that the respondent not attend that school. The school district must provide the student comparable educational services in another setting, and shall provide transportation at no cost to the respondent if the respondent's parent or legal guardian is unable to pay for transportation.</p> <p>Require the respondent to pay administrative courts costs and service fees and costs incurred in bringing the action, including reasonable attorneys' fees.</p> <p>Restrain the respondent from harassing, following, monitoring, keeping under physical or electronic surveillance, cyberstalking, and using audiovisual or other electronic means to monitor the actions or communication of the petitioner or the petitioner's family or household members</p> <p>Require a respondent who is not a minor to submit to electronic monitoring.</p> <p>Consider RCW 9.41.800 and order the respondent to surrender, and prohibit the respondent from accessing, having in their custody or control, possessing, purchasing, attempting to purchase or receive, or receiving, all firearms, dangerous weapons, and any concealed pistol license.</p> <p>Order possession and use of essential personal effects, including pets. Pursuant to Sec. 41, upon request of the petitioner, the court may order a law enforcement stand-by to assist with recovery of possessions.</p> <p>Order use of a vehicle.</p> <p>Restrict the respondent from engaging in abusive litigation, harassing or libelous communications about the petitioner to third parties, or making false reports to investigative agencies.</p> <p>Restrain the respondent from committing acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult.</p> <p>Require an accounting by the respondent of the disposition of the vulnerable adult's income or other resources.</p> <p>Restrain transfer of either the respondent's or vulnerable adult's property, or both, for a period not to exceed 90 days.</p>					

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	<p>Financial relief and restrain transfer of jointly owned assets.</p> <p>Restrain the respondent from possessing or distributing intimate images depicting the petitioner.</p> <p>The court may not order the petitioner to obtain services including but not limited to, drug testing, victim support services, mental health assessment, or a psychological evaluation.</p> <p>The court shall not deny the petitioner the type of protection order sought on the grounds that the court finds a different type of protection order would have a less severe impact on the respondent.</p>					
<p><b>Maximum Duration of Final Order</b></p> <p>RCW  <a href="#">7.105.315</a>  <a href="#">7.105.335</a></p>	<p>If the order restrains contact with the respondent's minor children, ≤ 1 year.</p> <p>Otherwise, a fixed period of time not less than one year (unless requested by the petitioner), up to permanent (99 years).</p>	<p>If the order restrains contact with the respondent's minor children, ≤ 1 year.</p> <p>Otherwise, a fixed period of time not less than one year (unless requested by the petitioner), up to permanent (99 years).</p>	<p>If the order restrains contact with the respondent's minor children, ≤ 1 year.</p> <p>Otherwise, any fixed period of time, up to permanent (99 years).</p>	<p>If the order restrains contact with the respondent's minor children, ≤ 1 year.</p> <p>Otherwise, a fixed period of time not less than one year (unless requested by the petitioner), up to permanent (99 years).</p>	<p>If the order restrains contact with the respondent's minor children, ≤ 1 year.</p> <p>Otherwise, a fixed period of time not less than one year (unless requested by the petitioner), up to permanent (99 years).</p>	<p>One year.</p>
<p><b>Penalty for Violation</b></p> <p>RCW  <a href="#">7.105.450</a>  <a href="#">7.105.455</a>  <a href="#">7.105.460</a></p>	<p>Mandatory arrest for violating. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise gross misdemeanor.</p>	<p>Mandatory arrest for violating. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise gross misdemeanor.</p>	<p>Possible criminal charges or contempt.</p> <p>Gross misdemeanor.</p>	<p>Mandatory arrest for violating. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise gross misdemeanor.</p>	<p>Mandatory arrest for violating. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise gross misdemeanor.</p>	<p>Possible criminal charges. Gross misdemeanor for first violation, Class C felony for subsequent violations.</p> <p>Gross misdemeanor to file ERPO knowing information in petition is materially false, or with intent to harass the respondent.</p>

Order Type	Sexual Assault Protection Order	Domestic Violence Protection Order	Antiharassment Protection Order	Stalking Protection Order	Vulnerable Adult Protection Order	Extreme Risk Protection Order
<p><b>Compliance Hearings</b></p> <p>RCW <a href="#">7.105.235</a></p>	<p>Only respondent required to appear if the court is reviewing compliance with any conditions of the order.</p> <p>Petitioner may appear at the hearing to provide evidence regarding compliance, or may file a responsive declaration. The court may ask the petitioner to appear or provide an additional declaration or documentation to address disputed issues.</p> <p>Any orders entered by the court pursuant to a compliance hearing must be served on the respondent if the respondent failed to appear.</p> <p>The court shall use its best efforts to notify the petitioner of the compliance hearing outcome. Notification by electronic means should be provided if possible, but may also be made by telephone or other method that allows notification to be provided without unnecessary delay.</p>					
<p><b>Reissuance and Renewal of Full Protection Orders</b></p> <p>RCW <a href="#">7.105.405</a> <a href="#">7.105.410</a></p>	<p>The petitioner may file a motion to renew the order at any time within 90 days before the order expires, stating the reasons the petitioner is seeking the renewal. A hearing must be set not later than 14 days from receipt of the motion, and service must be made on the respondent not less than 5 court days before the hearing.</p> <p>If the motion for renewal is uncontested and petitioner seeks no modification of the order, the order may be renewed on the basis of petitioner’s motion and statement.</p> <p>The terms of the original protection order must not be changed on the motion for renewal unless requested by the petitioner.</p> <p>The petitioner bears no burden of proving that they have a current reasonable fear of harm by the respondent.</p> <p>The court may award court costs, service fees, and reasonable attorneys’ fees to the petitioner.</p> <p>If the court declines to renew the protection order, the court shall state, in writing, the particular reasons for the court’s denial.</p>					<p>Court must notify petitioner of impending expiration at least 105 days before the date of expiration.</p> <p>Petitioner may request a renewal at any time within 90 days before the order’s expiration, and court shall order a hearing no later than 14 days.</p>
<p>The court shall grant the motion for renewal unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not engage in, or attempt to engage in, nonconsensual</p>	<p>The court shall grant the motion for renewal unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume acts of domestic violence against the petitioner or petitioner’s family or household</p>	<p>The court shall grant the motion for renewal unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume harassment of the petitioner when the order expires.</p>	<p>The court shall grant the motion for renewal unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume acts of stalking against the petitioner or the</p>	<p>The court shall grant the motion for renewal unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume acts of abandonment, abuse, financial exploitation,</p>	<p>If the court finds by a preponderance of the evidence that requirements for ERPO continue to be met, the court shall renew the order.</p> <p>Renewal valid for one year.</p>	

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	sexual conduct or penetration with the petitioner when the order expires.	members when the order expires.		petitioner’s family or household members when the order expires.	or neglect against the vulnerable adult when the order expires.	
<p>In determining whether there has been a substantial change of circumstances, the court may consider the following unweighted factors, and no inference is to be drawn from the order in which the factors are listed:</p> <ul style="list-style-type: none"> <li>(a) Whether the respondent has committed or threatened sexual assault; domestic violence; stalking; abandonment, abuse, financial exploitation, or neglect of a vulnerable adult; or other harmful acts against the petitioner or any other person since the protection order was entered;</li> <li>(b) Whether the respondent has violated the terms of the protection order and the time that has passed since the entry of the order;</li> <li>(c) Whether the respondent has exhibited suicidal ideation or attempts since the protection order was entered;</li> <li>(d) Whether the respondent has been convicted of criminal activity since the protection order was entered;</li> <li>(e) Whether the respondent has either: Acknowledged responsibility for acts of sexual assault, domestic violence, or stalking, or acts of abandonment, abuse, financial exploitation, or neglect of a vulnerable adult, or behavior that resulted in the entry of the protection order; or successfully completed state-certified perpetrator treatment or counseling since the protection order was entered;</li> <li>(f) Whether the respondent has a continuing involvement with drug or alcohol abuse, if such abuse was a factor in the protection order; and</li> <li>(g) Other factors relating to a substantial change in circumstances.</li> </ul> <p>Additional considerations in whether there has been a substantial change in circumstances for respondents under the age of 18 are developmental factors, including the impact of time of a youth’s development, and any information the minor respondent presents about their personal progress or change in circumstances.</p> <p>The court shall not deny a motion to renew a protection order for the following reasons:</p> <ul style="list-style-type: none"> <li>(a) The respondent has not violated the protection order previously issued by the court;</li> <li>(b) The petitioner or the respondent is a minor;</li> <li>(c) The petitioner did not report the conduct giving rise to the protection order, or subsequent violations of the protection order, to law enforcement;</li> </ul>						

Order Type	Sexual Assault Protection Order	Domestic Violence Protection Order	Antiharassment Protection Order	Stalking Protection Order	Vulnerable Adult Protection Order	Extreme Risk Protection Order
	<p>(d) A no-contact order or a restraining order that restrains the respondent's contact with the petitioner has been issued in a criminal proceeding or in a domestic relations proceeding;</p> <p>(e) The relief sought by the petitioner may be available in a different action or proceeding;</p> <p>(f) The passage of time since the last incident of conduct giving rise to the issuance of the protection order; or</p> <p>(g) The respondent no longer lives near the petitioner.</p>					
<p><b>Modification/ Termination</b></p> <p>RCW <a href="#">7.105.500</a> <a href="#">7.105.505</a> <a href="#">7.105.510</a></p>	<p>Upon a motion with notice to all parties and after a hearing, the court may modify the terms of an existing protection order or terminate an existing order.</p> <p>The respondent's motion to modify or terminate an existing protection order must include a declaration setting forth facts supporting the requested modification or termination. The nonmoving parties may file opposing declarations.</p> <p>All motions to modify or terminate shall be based on the written materials and evidence submitted to the court. The court shall set a hearing only if the court finds that adequate cause is established. If the court does find adequate cause, the court shall set a hearing for the respondent's motion, at least 14 days from the date the court finds adequate cause.</p>				<p>Any vulnerable adult who is not subject to an order under Chapter 11.130 RCW, may at any time subsequent to the entry of a permanent protection order under this chapter, file a motion to modify or terminate the protection order.</p>	<p>Respondent may submit one written request for a hearing to terminate an ERPO every 12-month period that the order is in effect.</p> <p>Upon receipt of request for a hearing to terminate, the court shall set a date for the hearing, no sooner than 14 days and no later than 30 days from the date of service of request on petitioner.</p>
<p>The court may not modify or terminate an existing protection order on respondent's motion unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume, engage in, or attempt to engage in, physical or nonphysical contact.</p>		<p>The court may not modify or terminate an existing protection order on respondent's motion unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume, engage in, or attempt to engage in, acts of domestic violence.</p>	<p>The court may not modify or terminate an existing protection order on respondent's motion unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume, engage in, or attempt to engage in, acts of unlawful harassment.</p>	<p>The court may not modify or terminate an existing protection order on respondent's motion unless the respondent proves by a preponderance that there has been a substantial change in circumstances and that the respondent will not resume, engage in, or attempt to engage in, acts of stalking.</p>	<p>Where the vulnerable adult is subject to an order under Chapter 11.130 RCW, the vulnerable adult or their guardian, conservator, or person acting on their behalf under a protective arrangement may, if within the person's authority, file a motion to modify or terminate the protection order at any time subsequent</p>	<p>Respondent must prove by a preponderance of the evidence that respondent does not pose a significant danger of causing personal injury to self or others by having in their custody or control, accessing, possessing, purchasing, receiving, or attempting to purchase</p>



Order Type	Sexual Assault Protection Order	Domestic Violence Protection Order	Antiharassment Protection Order	Stalking Protection Order	Vulnerable Adult Protection Order	Extreme Risk Protection Order
	<p>In determining whether there has been a substantial change of circumstances, the court may consider the following unweighted factors, and no inference is to be drawn from the order in which the factors are listed:</p> <p>(a) Whether the respondent has committed or threatened sexual assault; domestic violence; stalking; abandonment, abuse, financial exploitation, or neglect of a vulnerable adult; or other harmful acts against the petitioner or any other person since the protection order was entered;</p> <p>(b) Whether the respondent has violated the terms of the protection order and the time that has passed since the entry of the order;</p> <p>(c) Whether the respondent has exhibited suicidal ideation or attempts since the protection order was entered;</p> <p>(d) Whether the respondent has been convicted of criminal activity since the protection order was entered;</p> <p>(e) Whether the respondent has either: Acknowledged responsibility for acts of sexual assault, domestic violence, or stalking, or acts of abandonment, abuse, financial exploitation, or neglect of a vulnerable adult, or behavior that resulted in the entry of the protection order; or successfully completed state-certified perpetrator treatment or counseling since the protection order was entered;</p> <p>(f) Whether the respondent has a continuing involvement with drug or alcohol abuse, if such abuse was a factor in the protection order; and</p> <p>(g) Other factors relating to a substantial change in circumstances.</p>				<p>to the entry of a permanent protection order under this chapter.</p> <p>The court shall grant such relief as it deems necessary for the protection of the vulnerable adult, including modification or terminate of the protection order.</p>	<p>or receive, a firearm or other dangerous weapons.</p> <p>If the court finds that respondent has met their burden, the court shall terminate the order.</p>

This chart is included in Chapter 9, Appendix A of the *Sexual Violence Bench Guide for Judicial Officers*. This resource is available on the Gender and Justice Commission’s website: [https://www.courts.wa.gov/content/manuals/SexualOffense/WA\\_SV\\_Guide.pdf](https://www.courts.wa.gov/content/manuals/SexualOffense/WA_SV_Guide.pdf).